

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 04-04-27**

Date Published: April 22, 2004
For Work Week Commencing: April 26, 2004
Commission Meeting: April 27, 2004, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Steve Vick at (406) 444-6187. He may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. BLACK HILLS POWER D2004.3.49 (Eric)

On March 31, 2004, BHP filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on April 5, 2004. Requests for hearing were due by April 27, 2004. No requests have been received. This application will decrease revenues by \$2,379 over the base cost of fuel approved in Docket No. 83.4.25. A default order has been drafted.

2. Qwest Communications N2004.4.57 (Scott)

On April 12, 2004 Qwest filed Tariff Transmittal PLT04-01 withdrawal of Simultaneous Voice and Data Service (SVDS). These revisions will remove the SVDS. There are no customers in Montana subscribing to the product. SVDS will remain as an interstate offering until such times as a waiver has been granted by the Federal Communications Commission (FCC).

3. Qwest Communications N2004.4.56 (Scott)

On April 12, 2004 Qwest filed Tariff Transmittal 04-06 revision of section 12, Open Network Architecture (ONA) change due to withdrawal of Simultaneous Voice and Data Service (SVDS) from the Private Line Access Tariff. The revision describes SVDS offering as available as only an interstate service. A simultaneous filing (PLT04-01) is being made to withdraw the SVDS from the intrastate Private Line Access Tariff.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2004.4.58 – Qwest – A New Block of Numbers for Benefis in Great Falls. (4/27/04)
2. D2003.12.170 – Coalition EAS (Western Montana) – Qwest Request for Protective Order, Other Matters as Necessary. (4/27/04)
3. PSC – OSP Rule Change – Discussion, Direction, Action on Amendment of OSP Rule. (4/27/04)
4. D2004.3.39 – Hot Springs Telephone Company and Ronan Telephone Company - Motion for Reconsideration. (4/27/04)
5. D2004.4.52 - Hot Springs Telephone Company – Detariffed New Services and New Tariffed Services. (4/27/04)
6. D2003.7.86 – NorthWestern Energy QF Avoided Cost – Navitas Objection to PSC Data Request, Other Matters as Necessary. (4/27/04)
7. D2004.3.45 – NorthWestern Energy – Basin Creek PPA. (4/27/04)

8. NorthWestern Energy Bankruptcy – Placeholder to Report on and Get Direction on Any Matter Related to the Bankruptcy. (4/27/04)
9. D2003.8.109 – Montana Consumer Counsel – Motion to Compel. (4/27/04)
10. Personnel / Budget. (4/27/04)

Other Meetings

4/29/04 2:00 p.m. - Update RTO West Regional Representatives Group Process (Bollinger Room)

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.state.mt.us/PublicComment/PublicComment.htm>. Comments should reference the docket number of the matter.

1. NorthWestern Energy D2003.10.142 (Will)

In Order 6514, the Commission approved a 21% supplemental rate discount for NWE low income electricity customers. The supplemental discount implemented a recommendation from the Governor's Energy Consumer Protection Task Force for reallocating approximately \$1.7 million of unspent USB finds. The supplemental discount was effective on November 1, 2003 and was authorized to continue until the available funds were exhausted. The Commission granted the staff the authority to process compliance tariffs related to Order 6514. On April 14 NWE submitted Tariff Letter 87-E, which eliminates the supplemental low-income electric rate discount effective April 15, 2004, due to exhaustion of reallocated funds.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2004.4.58 – Qwest – Request for Waiver of Months to Exhaust / Utilization Threshold Requirements – Great Falls Rate Center

N2004.4.59 – Qwest – Tariff Transmittal 04-07, Clarification PBX with DID Service

D2004.4.60 – Qwest and ComTech21 Interconnection Agreement Adopting Qwest's Statement of Generally Accepted Terms and Conditions for Interconnection, Unbundled Network Elements, Ancillary Services and Resale of Telecommunications Services

D2004.4.61 – Phantom Hills Water Co. – Application for Authority to Establish Initial Rates and Charges for Water Service

D2004.4.62 – Qwest Corporation and Opcom, Inc. dba WCS Telecom – Application for Approval of Resale Agreement

D2003.7.97 – NorthWestern Energy – May 2004 Monthly Natural Gas Cost Rate Adjustment

D2003.8.115 – NorthWestern Energy - May 2004 Monthly Electric Default Supply Cost Rate Adjustment

D2003.7.93 – Energy West – May 2004 Monthly Gas Cost Tracking Application